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Attorneys for Defendants  
Frontier Airlines, Inc., Republic Airways Holdings, Inc.,  
Roger Sorensen

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

KHAN MICHAEL ORDONEZ,

Plaintiff,

v.

FRONTIER AIRLINES, REPUBLIC  
AIRWAYS HOLDINGS, ROGER  
SORENSEN,

Defendants.

CASE NO. C 13-00940 TEH

**DECLARATION OF ROGER SORENSEN IN  
SUPPORT OF DEFENDANTS' OPPOSITION  
TO PLAINTIFF KHAN MICHAEL  
ORDONEZ'S MOTION TO REMAND TO  
STATE COURT**

Date: April 29, 2013  
Time: 10:00 a.m.  
Crm: 2  
Judge: Hon. Thelton E. Henderson  
Removal Filed: March 1, 2013  
Trial Date: Not Set

I, Roger Sorensen, declare as follows:

1. I have been employed with Defendant Frontier Airlines, Inc. ("Frontier") as a City Manager since 1996, and am named as a defendant in the within action. I have personal knowledge of the facts set forth herein and if called as a witness, I could and would testify competently with respect to these matters.

2. I have been employed as the City Manager for Frontier's San Francisco International Airport location ("SFO") from 2001 to present. As the City Manager, I managed all aspects of the local operation at SFO airport and oversaw customer service, ramp service, and

1 cargo service operations during plaintiff Khan Michael Ordonez's ("Mr. Ordonez") employment  
2 with Frontier, from May 12, 2006 to September 3, 2010. I was never Mr. Ordonez's direct  
3 supervisor. His direct supervisor from July 2010 through the end of his employment on  
4 September 3, 2010, was Roberto Moreno. During this time, I was Mr. Moreno's supervisor.

5 3. I had no contact with Mr. Ordonez -- over the phone, in person, or otherwise --  
6 while Mr. Ordonez was absent from work in July through September 2010, other than sending  
7 Mr. Ordonez a termination letter on September 3, 2010, and calling him that day to see if he could  
8 meet so that I could advise him that his employment was terminated. He advised me in the call  
9 that he was in Las Vegas and could not meet, so I placed his termination letter and final check in  
10 the mail that day. I did not harass, reprimand, contact or talk to Mr. Ordonez about any illness or  
11 disability he may have had at any time.

12 4. I learned that Mr. Ordonez was ill from Mr. Ordonez's father when he delivered  
13 doctor's notes for Mr. Ordonez to the Frontier ticket counter in July and August 2010.

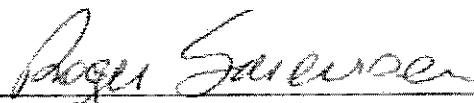
14 5. I never went to any medical facility (or any other place) to investigate, or inquire  
15 about, Mr. Ordonez or his illness, nor did I instruct anyone to do so.

16 6. I was never advised by anyone that Mr. Ordonez had any learning disability during  
17 his employment with Frontier.

18 7. Attached as Exhibit 1 hereto is a true and correct copy of the September 3, 2010  
19 letter I sent to Mr. Ordonez terminating his employment for his unexcused absences from July  
20 through August 2010, as well as his failure to communicate with Frontier during this time, as set  
21 forth in my letter.

22 I declare under penalty of perjury under the laws of the United States of America that the  
23 foregoing is true and correct.

24 Executed this 2nd day of April, 2013, in San Mateo, California.

25   
26 Roger Sorensen

27  
28

**EXHIBIT 1**

**FRONTIER.**

Frontier Airlines, Inc.  
Terminal One  
SFO  
San Francisco,  
Ca. 94128

P 650-872-5040  
F 650-872-2882

frontierairlines.com

September 3, 2010,

Khan Ordonez  
2000 Trousdale Drive, Apt # 305.  
Burlingame, Ca. 94010

Dear Kahn,

On July 1<sup>st</sup>, you called in sick. You did report to work on July 2<sup>nd</sup>, however after 3.25 hours, you went home sick. You were off sick until July 25<sup>th</sup>, when you returned and worked 8 hours, you worked another 8 hours on July 26<sup>th</sup>, and 3 hours on July 27<sup>th</sup>, before once again going home sick. You have not returned to work since that date. We have received a total of six Doctors notes with a rolling return date on each one. We also received a Doctor's report that you were not contagious to your fellow employees.

You requested and were sent FMLA Forms from Human Resources on 8/6/10 with instructions to return no later than 8/26/10. You failed to return the forms and your FMLA request was denied. You have never contacted me to request a Medical or Personal leave for the amount of time you have been absent.

It is your responsibility as an employee to be aware of the standards set forth in the Policy Guidelines for Customer Services Division Employees. After considering all these factors, it has been determined that we can no longer continue your employment with Frontier Airlines.

Enclosed is your final check which includes your vacation time accrued.

Sincerely,

Roger Sorensen  
City Manager---SFO  
Frontier Airlines, Inc

cc: Personnel File

*A whole different animal."*

FA 000014

1 *Ordonez v. Frontier Airlines*

USDC – Northern District Case No. C 13-00940 MEJ

2  
3 **PROOF OF SERVICE**

4 I, the undersigned, hereby declare that I am over the age of eighteen years and not a party  
to this action. I am employed, or am a resident of, the County of San Diego, California, and my  
5 business address is: Paul, Plevin, Sullivan & Connaughton LLP, 101 West Broadway, Ninth  
Floor, San Diego, California 92101-8285.

6 On April 2, 2013, I caused to be served the following document(s):

- 7 • **DECLARATION OF ROGER SORENSEN IN SUPPORT OF DEFENDANTS'**  
8 **OPPOSITION TO PLAINTIFF KHAN MICHAEL ORDONEZ'S MOTION TO**  
**REMAND TO STATE COURT**


9 on the interested party (ies) in this action by placing a true copy thereof and addressed as follows:

10 Kenneth C. Absalom  
Law Office of Kenneth C. Absalom  
11 275 Battery Street, Suite 200  
San Francisco, CA 94111  
12 Telephone: (415) 392-5040  
Facsimile: (415) 392-3729  
13 kenabsalom@333law.com

14 ☒ (By **E-MAIL OR ELECTRONIC TRANSMISSION**) Based on a court order or an  
15 agreement of the parties to accept service by e-mail or electronic transmission, I caused  
the documents to be sent to the person(s) at the e-mail addresses listed above. I did not  
16 receive, within a reasonable time after the transmission, any electronic message or other  
indication that the transmission was unsuccessful.

17 ☒ (Federal) I declare that I am employed by the office of a member of the bar of this court at  
whose direction the service was made.

18 Executed April 2, 2013, at San Diego, California.

19   
20 Julie M.W. Szotek